

Message Text

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PAGE 01 WARSAW 00185 100822Z
ACTION EUR-12

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FM AMEMBASSY WARSAW
TO SECSTATE WASHDC PRIORITY 2606
AMCONSUL MUNICH PRIORITY

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E.O. 11652: N/A

TAGS: PFOR CGEN PL (WALUS, FRANK)

SUBJ: JUDICIAL ASSISTANCE: UNITED STATES VERSUS FRANK WALUS

REF: (A) MUNICH 3986, (B) WARSAW 8998

1. THE EMBASSY HAS RECEIVED A NOTE FROM THE POLISH MINISTRY OF FOREIGN AFFAIRS INDICATING THAT MR. ANTONI CHARKIEWICZ WILL NOT BE ALLOWED TO LEAVE POLAND TO TESTIFY IN THE WALUS TRIAL.

2. ACCORDING TO THE NOTE, MR. CHARKIEWICZ WAS RECENTLY INTERVIEWED BY A REPRESENTATIVE OF THE MAIN COMMISSION FOR THE INVESTIGATION OF HITLERITE CRIMES IN POLAND. DURING THIS INTERVIEW, MR. CHARKIEWICZ ALLEGEDLY SAID HE WAS NOT A WITNESS TO WAR CRIMES SAID TO HAVE BEEN COMMITTED BY FRANK WALUS; DURING THE TIME OF THE OCCUPATION, HE WAS 10 - 14 YEARS OLD AND DID NOT RESIDE IN THE TERRITORY WHERE THE CRIMES ALLEGEDLY TOOK PLACE. ACCORDING TO THE NOTE, MR. CHARKIEWICZ FURTHER STATED THAT HE MET FRANK WALUS IN GDANSK IN 1949, AND IT WAS AT THAT TIME THAT HE LEARNED PERSONALLY FROM WALUS THAT HE TOOK PART IN NAZI CRIMES NEAR KIELCE.

3. THE NOTE FURTHER STATES THAT THE POLISH AUTHORITIES BELIEVE IT IS UNLIKELY MR. WALUS WOULD HAVE ADMITTED TAKING PART IN SUCH ACTIVITIES TO MR. CHARKIEWICZ. FOR THIS REASON, AND BECAUSE

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MR. CHARKIEWICZ WAS NOT A WITNESS TO THE ALLEGED CRIMES, THE POLISH AUTHORITIES BELIEVE MR. CHARKIEWICZ'S TESTIMONY HAS NO VALUE EITHER TO THE PROSECUTION OR DEFENSE IN THE WALUS CASE.

4. THE MINISTRY'S NOTE CONCLUDES BY REQUESTING THAT, IN ORDER TO FACILITATE FUTURE COOPERATION, THE POLISH AUTHORITIES BE ADVISED EARLIER OF ANY INTENTION OF CALLING POLISH NATIONALS

TO TESTIFY IN CRIMINAL PROCEEDINGS TAKING PLACE IN THE UNITED
STATES.
DAVIES

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